

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7066 of 2015

P.Lakshmi

.. Petitioner

Vs.

1.The District Collector,
Vellore District,
Vellore.

2.The Superintendent of Police,
Vellore District,
Vellore.

3.The Medical Officer/Superintendent,
Government Hospital,
Walaja Pet,
Vellore District.

4.The Inspector Police,
Sholinghur Police Station,
Vellore District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to transfer the investigation relating to Crime No.852 of 2012 pending on the file of the 4th respondent to CBCID or any other agency and to conduct free and fair investigation for the death of the petitioner's husband A.Palani who died on 25.12.2012 with stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed to direct the second respondent to transfer the investigation relating to Crime

No.852 of 2012 pending on the file of the fourth respondent to CBCID enquiry.

2. It is seen that the petitioner's husband, who was working as cooly for loading and unloading of sand, went for his avocation on 25.12.2012 along with one Manokaran and Shanmugam. On the same day the petitioner received a phone call from the said Shanmugam stating that the petitioner's husband died due to heart attack, while they were working. Hence she lodged a complaint before the fourth respondent police and the same was registered under Section 174 of Cr.P.C. in Crime No.852 of 2012. Since the four respondent did not conduct free and fair investigation, the petitioner approached this Court with the above said prayer.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the investigation is still pending with the fourth respondent police.

4. Considering the above facts and circumstances, this Court does not want to interfere with the investigation at this stage. However, considering the crime is of the year 2012, the fourth respondent is directed to complete the investigation in Crime No.852 of 2012 and file a final report within a period of four weeks from the date of receipt of a copy of this Order, before the jurisdiction Magistrate, if not already filed.

5. With the above directions, this writ petition stands disposed of. No costs.

rts

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Vellore District, Vellore.

2.The Superintendent of Police,
Vellore District, Vellore.

3.The Medical Officer/Superintendent,
Government Hospital,
Walaja Pet, Vellore District.

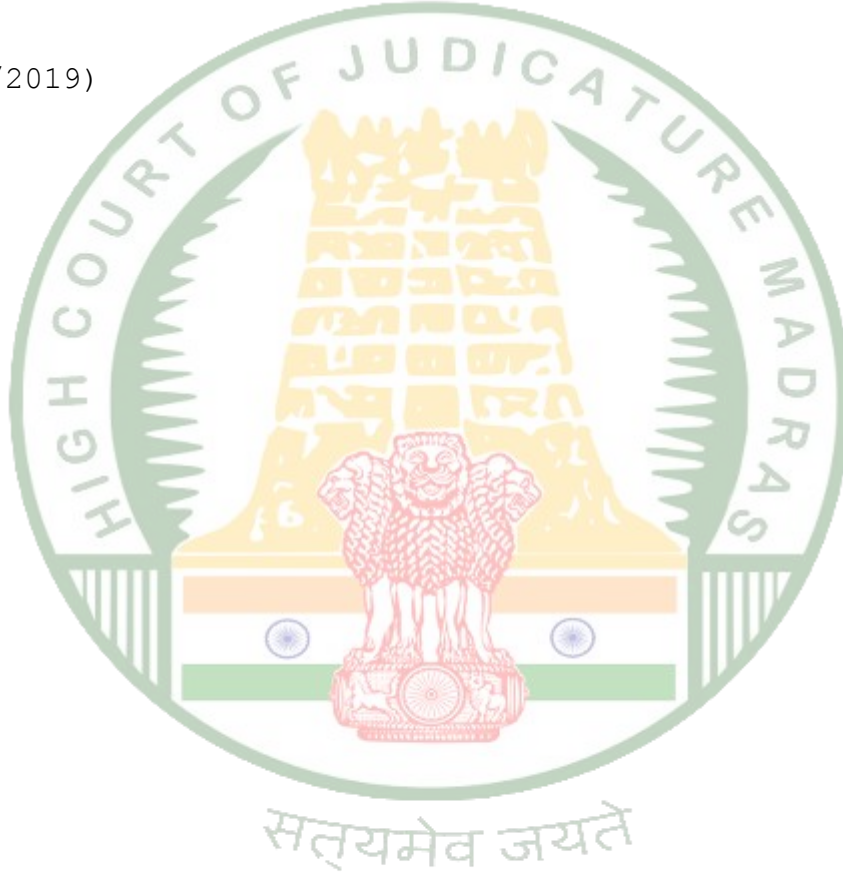
4.The Inspector Police,
Sholinghur Police Station,
Vellore District.

5.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Prabakaran, Advocate, S.R.No.11956

W.P.No.7066 of 2015

Kak(26/03/2019)



WEB COPY